

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Jonathon Alan Denton**
Docket No. **267790**
L.C. No. **05-002629-01**

Michael J. Talbot, Judge, acting under MCR 7.217 and MCR 7.219(I), orders:

The motion to reinstate is GRANTED and the appeal is REINSTATED. The appellant's brief that was received with the motion to reinstate on October 18, 2006, is accepted for filing. The time for filing appellee's brief under MCR 7.212(A)(2)(a)(ii) shall be counted from the date of the Clerk's certification of this order.

John F. Royal (P 27800), retained counsel for appellant, shall pay to the Clerk of this Court, within 21 days after the certification of this order, court costs in the sum of \$500 for the additional work caused by the dismissal and reinstatement of this appeal. The Court's records reflect this is the sixth of the seven appeals of right that counsel has filed with this Court in the past twenty-one months that have been dismissed and reinstated on counsel's motion. Each of the six appeals were dismissed on the involuntary dismissal docket for counsel's failure to file appellant's brief by the extended due date granted. The seventh appeal has not been dismissed, but this is apparently only because the extended due date for the appellant's brief as allowed by motion under the Court's current policy has not yet passed. Counsel's established practice of waiting until after an appeal has been dismissed pursuant to MCR 7.217 to file the appellant's brief along with a motion to reinstate the appeal places an enormous burden on the Court. The costs are personal to the attorney and shall not be charged back to the client.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

NOV 01 2006

Date

Sandra Schultz Mengel

Chief Clerk